

REMARKS

Claims 1-6 are pending in the present application. Applicant has cancelled claims 5 and 6 without prejudice or disclaimer.

The specification has been amended at page 8, lines 2-11. Support for this amendment to the specification is found in the specification at page 1, lines 25-29.

Claims 1, 2 and 4 have been amended. Support for the amendment to claim 1 is found in the specification on page 6, line 15 to page 7, line 7. Support for the amendment to claim 2 is found in the description of component b) in the specification at pages 4 and 5. The specification at page 2, lines 10-16 has been likewise amended. Support for the amendment to claim 4 is found in original claim 1 and in the specification at page 1, lines 25-29.

New claims 7-11 have been added. New claim 7 corresponds to and is supported by original claim 1 and the specification at page 6, line 15 to page 7, line 7. New claim 8 corresponds to and is supported by original claim 2 and the specification at pages 4 and 5. New claim 9 corresponds to and is supported by original claim 3. New claim 10 corresponds to and is supported by original claims 1 and 4 and the specification at page 1, lines 25-29. New claim 11 is supported by the specification at page 8, lines 24-30 and page 9, lines 3-7.

No new matter has been added.

I. Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 6 stands rejected under 35 U.S.C. § 112, second paragraph for being indefinite. Applicant has obviated this rejection by canceling claim 6.

II. Rejection of Claim 6 under 35 U.S.C. § 101

Claim 6 stands rejected under 35 U.S.C. § 101 for improperly reciting a process claim. Applicant has obviated this rejection by canceling claim 6.

III. Objection under 37 C.F.R. § 1.75(c)

Claim 4 stands objected to under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant has obviated the rejection by amending claim 4 to delete the compound presently at component (a) and to replace it with “at least one oxetane compound” as recited in the previous claim 1 from which claim 4 depends. Accordingly, Applicant respectfully requests that the objection be withdrawn.

IV. Rejection under 35 U.S.C. § 102 (e)

Claims 1-3 and 5-6 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by Takami (U.S. Patent No. 6,166,101; hereinafter “the ‘101 patent”). Claims 1-3 and 5-6 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by Takami et al. (U.S. Patent No. 5,721,020; hereinafter “the ‘020 patent”). Applicant has obviated this rejection by amending claim 1.

Claim 1 (as currently amended) is directed to a curable composition wherein the composition comprises at least one multifunctional hydroxy compound that is not a wax. Applicant respectfully submits that the multifunctional hydroxy compounds listed on page 6, line 15 to page 7, line 7 are not waxes.

As the Examiner points out in the Office Action at page 4, the ‘101 patent teaches that the coating composition may further comprise a lubricity-imparting agent, “for example, a wax such as a fatty acid ester wax which is an esterified product of a polyol compound and a fatty acid, silicone oil wax, fluorine-based wax, polyolefin wax, animal wax and vegetable wax.” (Column 13, lines 21-36). Likewise, the ‘020 patent teaches a lubricity-imparting agent (D) that includes, “for example, waxes such as fatty acid ester wax (which is an ester of a polyol compound(s) and

a fatty acid(s)), silicone-based wax, fluorine-containing wax, polyolefin wax, animal wax, vegetable wax and the like.” (Column 11, lines 16-23).

Unlike the presently claimed invention, there is no mention or teaching in either the ‘101 or the ‘020 patent of a curable composition that comprises at least one multifunctional hydroxy compound that is not a wax. Accordingly, since the ‘101 and the ‘020 patents fail to teach each and every element of independent claim 1 of the present invention, the ‘101 and the ‘020 patents cannot anticipate independent claim 1 or its dependent claims. Applicant respectfully requests that the rejection be withdrawn.

CONCLUSION

Applicant believes that the present application is now in condition for allowance. Favorable consideration of the application as amended is respectfully requested. The Commissioner is authorized to charge any fees required in connection with this paper to Deposit Account No. 16-2500.

Respectfully submitted,

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